

**Assembly Committee on Aging and Long-Term
Care
2005-06 Legislative Summary
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2005-05 Legislative Summary

Assembly Committee on Aging and Long-Term Care

2005 Legislation

AB 63 (Strickland)

As introduced, AB 63 established the Elderly and Disabled Persons' Revolving Home Improvement Loan Program within the Department of Housing and Community Development to provide no interest loans for home modifications.

Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 179 (Bermúdez)

AB 179 requires residential care facilities for the elderly (RCFEs) to include elder abuse reporting procedures as part of their personal rights form. The form must include the toll-free telephone number of the State Long-Term Care Ombudsman's CRISISline and a space for the telephone number of the nearest approved organization for long-term care ombudsperson activities.

Last Action: Chaptered by Secretary of State - Chapter 456, Statutes of 2005.

AB 230 (S. Horton)

AB 230 exempted Alzheimer's Day Care Resource Centers (ADCRC) and the Linkages program from the competitive bidding process. Once an Area Agency on Aging (AAA) has entered into an initial contract with a contractor for an ADCRC or the Linkages Program, the AAA may continue to contract with that contractor without using the competitive bidding process if the contractor is in compliance with all health and safety standards.

Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 300 (Walters)

AB 300 requires that vendors providing education courses for certification of administrators of group homes, adult residential facilities and residential care facilities for the elderly (RCFEs) be regulated solely by the Department of Social Services (DSS).

Last Action: Chaptered by Secretary of State - Chapter 423, Statutes of 2005.

AB 484 (Benoit)

AB 484 makes it a felony for a caretaker of an elder or dependent adult to commit a second or subsequent violation of any law proscribing theft or embezzlement with respect to the property of the elder or dependent adult. The felony conviction would be punishable by up to four years in a state prison and would apply regardless of the value of money, labor, or real or personal property taken.

Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 847 (Berg)

AB 847 authorizes the Department of Health Services (DHS), in conjunction with the Department of Social Services and the California Department of Aging to grant licensing exemptions to certain Program of All-Inclusive Care for the Elderly (PACE) sites. AB 847 establishes the procedures for granting exemptions and requires DHS to approve or deny a request for an exemption within 60 days.

Last Action: Chaptered by Secretary of State - Chapter 315, Statutes of 2005.

AB 1258 (Daucher)

AB 1258 made various changes in the Adult Day Health Care (ADHC) Program, including authorizing the Department of Health Services (DHS) to extend the moratorium on the certification and enrollment into the Medi-Cal program of new ADHC centers, specified legislative intent regarding the establishment of ADHC as a Medi-Cal benefit, and required DHS to take all appropriate action to obtain approval for a state plan amendment or a federal waiver that would conform the ADHC program to the requirements of federal law.

Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

AB 1605 (Wolk & Berg)

AB 1605 extended the mandated reporting requirements for financial elder abuse or dependent adult abuse to all officers and employees of financial institutions. Any mandated reporter of suspected financial elder or dependent adult abuse who has direct contact with the elder or dependent adult or who reviews or approves the individual's financial services who has observed a transaction or matter within the scope of their employment and professional practice that reasonably appears to be financial abuse would have been required to report the known or suspected abuse to the local adult protective services agency.

AB 1605 established reporting requirements for financial abuse, specified that a county adult protective services agency would provide mandated reporters with training regarding elder and dependent adult abuse, and required that a mandated reporter of suspected financial elder or dependent adult abuse who willfully failed to report financial abuse would be subject to a civil penalty.

Last Action: Died on inactive file.

AB 1664 (Gordon)

As heard in the Assembly Aging and Long-Term Care Committee, AB 1664 authorized employees of financial institutions to report suspected financial abuse of elder and dependent adults, provided liability protection for employees reporting abuse, and required financial institutions to ensure that all covered employees receive one hour of training regarding financial elder and dependent adult abuse.

Last Action: Amended into different subject matter (fireworks)

SB 308 (Simitian)

SB 308 authorized, upon adoption of a resolution, a county board of supervisors to impose a fee of up to \$2 to be paid at the time of recording of real estate instruments, to be placed in the Elder and Dependent Adult Financial Abuse Prevention Trust Fund and expended to fund programs to deter, investigate, and civilly prosecute the financial abuse of elders and dependent adults in the context of real estate transactions.

Last Action: Vetoed by the Governor, September 30, 2006.

SB 397 (Escutia)

As referred to the Assembly Committee on Aging and Long-Term Care, SB 397 required skilled nursing facilities and residential care facilities for the chronically ill within a county which has an elder death review team (EDRT) to notify, by fax or e-mail, the chair or chair designee of the EDRT when there is a death of an elderly resident. The

contents of SB 397 were changed prior to being heard in the Assembly Committee on Aging and Long-Term Care and the bill was subsequently re-referred to the Assembly Committee on Revenue and Taxation.

Last Action: Held in Assembly Rev & Tax Committee.

SB 1018 (Simitian)

SB 1018 established the Financial Elder Abuse Reporting Act of 2005 which extended mandated reporting requirements for financial abuse of an elder or dependent adult to all officers and employees of certain financial institutions. A mandated reporter of suspected financial abuse who fails to report financial abuse is subject to a civil penalty. SB 1018 also requires county adult protective services programs to provide mandated reporters of financial abuse with instructional materials regarding elder and dependent adult abuse and neglect, and their obligation to report such abuse. The Financial Elder Abuse Reporting Act goes into effect on January 1, 2007 and sunsets after six years.

Last Action: Chaptered by Secretary of State - Chapter 140, Statutes of 2005.

2006 Legislation

AB 1861 (S. Horton)

AB 1861 was substantially similar to AB 230 which was held in the Assembly Appropriations Committee and subsequently failed passage. Like AB 230, AB 1861 also exempted Alzheimer's Day Care Resource Centers (ADCRC) and the Linkages program from the competitive bidding process with specific requirements.

Last Action: Held in Assembly Appropriations Committee.

AB 1928 (Berg)

AB 1928 would have continually appropriated federal funds for the Area Agencies on Aging (AAAs) and Independent Living Centers (ILCs) in the event of a late state budget. Payments to the AAAs and ILCs would be made from the Federal Trust Fund in any fiscal year in which the Budget Act is not enacted by July 1st of that fiscal year.

Last Action: Held in Assembly Appropriations Committee.

AB 1929 (Berg)

AB 1929 required the California Department of Aging to develop and implement a procedure for the electronic transfer funds to the Area Agencies on Aging instead of using a paper check system.

Last Action: Vetoed by the Governor, September 29, 2006.

AB 2014 (Berg)

AB 2014 eliminated the California Department of Aging (CDA) and instead created the California Department of Aging and Adult Services comprised of home and community-based services for older adults and adults with disabilities. AB 2014 would have moved all programs from CDA, the independent living centers, caregiver resource centers, traumatic brain injury program, adult protective services, and the in-home supportive services program to the new department.

Last Action: Held in Senate Human Services.

AB 2657 (Bogh)

AB 2657 required all law enforcement agencies to develop a system for recording all elder or dependent adult abuse calls for assistance and for recording all elder or dependent adult abuse reports received from public agencies. AB 2657 also required that the information compiled by law enforcement agencies to be submitted to the Attorney General's office on a monthly basis.

Last Action: Held in Assembly Appropriations Committee.

AB 2749 (Strickland)

AB 2749 was substantially similar to AB 63 in 2005. AB 2749 required the California Department of Housing and Community Development to establish a pilot program to provide a revolving home improvement loan fund for qualified low and moderate income elderly and disabled persons in Ventura and Los Angeles Counties.

Last Action: Held in Assembly Committee on Aging and Long-Term Care.

AB 2920 (Leno)

AB 2920 requires the California Department of Aging to ensure equal access to all programs and services funded through the Older Americans Act, and that all programs administered by the department and the Area Agencies on Aging account for the needs of Lesbian, Gay, Bisexual, and Transgender elders.

Last Action: Chaptered by the Secretary of State - Chapter 829, Statutes of 2006.

AB 2990 (Levine)

AB 2990 requires each multipurpose senior center and each senior center in California to develop an emergency operations plan. In the development of the emergency operations plans, centers are required to coordinate with the Office of Emergency Services, the local area agency on aging, and other relevant agencies and stakeholders.

Last Action: Chaptered by the Secretary of State - Chapter 620, Statutes of 2006.

SB 1755 (Chesbro)

SB 1755 makes numerous changes to the Adult Day Health Care (ADHC) program and Medi-Cal coverage for ADHC. SB 1755 narrows the program eligibility and medical necessity criteria, revises the service requirements and roles and responsibilities of ADHC providers, and requires the Department of Health Services to establish a new prospective, cost-based reimbursement methodology and perform field audits of ADHC providers.

Last Action: Chaptered by the Secretary of State - Chapter 691, Statutes of 2006.